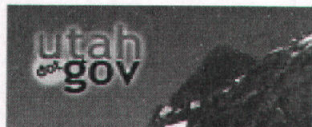


Outgoing
S/039/0016

Peter Brinton <peterbrinton@utah.gov>

Antelope Valley Mine (S/039/0016) - informal permitting help for Small Mining Operations in Utah

1 message

Peter Brinton <peterbrinton@utah.gov>
To: Jeff <jeff@wzsupply.com>

Wed, Feb 5, 2014 at 2:35 PM

Hi Jeff,

Thanks for the call. See the forwarded information below which should help provide the information required to bring the expiring Antelope Valley mine permit up to date. As I mentioned, your current mine ID of S/039/0016 will be retained.

First, here is some site-specific instructions for your permit, followed by the general instructions.

The existing quarry is not near any area identified for sage grouse conservation, so 3) below is a non-issue.

You will need to make sure that the operator going forward (assumed to be the current operator, Zamaroni Quarry Inc.) has an up-to-date business license (see 4), since I believe the current license has expired.

Please submit your replacement Notice (MR-SMO) with the following form and indicate that the entire Notice will be replaced: https://fs.ogm.utah.gov/PUB/MINES/Minerals_Related/FORMS/MR-REV-SMO_EXP.pdf

Your Operation map (see 5 below) will need to identify the existing disturbance at the site for which Zamaroni is responsible (including roads built or widened), and also identify previous disturbance for which you are not responsible.

I don't see a payment yet for 2014 permit fees, but it could be in process.

We will use the 2013 reclamation surety costs until April 2014 (see 8).

See the rest of the general guidance below, including links to the reclamation contract and Notice documents....

Peter

Under the state mining rules, the Utah Division of Oil, Gas & Mining requires a mining permit if your work: 1) will involve the use of mechanized earthmoving equipment, and/or 2) will create a significant disturbance. Sand and gravel deposits, and rock aggregate (consolidated rock materials associated with sand and/or gravel deposits and created by alluvial sedimentary processes), are exempted from mine permitting. Refer to the rules for more information.

Small mining operations (SMOs) are defined as mining operations disturbing <5 acres (in an incorporated area) or <10 acres (in an un-incorporated area). The following items are needed before the Division can issue a permit for a small mining operation. This is not an official Division checklist, but it should be helpful.

1) Coordinate with private land owners and/or public land management agencies.

- The Bureau of Land Management and United States Forest Service must approve operations on the lands they manage. The Utah School & Institutional Trust Lands Administration (SITLA) oversees mineral & surface ownership for State of Utah lands.

2) Provide for an archaeology evaluation of any future areas to be disturbed.

- To fulfill its obligations under Utah code Annotated 9-8-404, the Division needs cultural resource (archaeology) information. On federal lands, the BLM or Forest Service may do their own investigation. Contact SITLA about archaeology on state lands. On private lands, the Division will need concurrence from the State Historic Preservation Office (SHPO) prior to issuing a permit, unless the private lands are studied in conjunction with a BLM study that BLM accepts.

- The amount and type of information required to evaluate cultural resources depends on the mine location, the history of previous disturbance, and other factors. This step has the potential to hold up the permitting process if surveys are not done completely or started soon enough.

3) Determine whether the project will be located in a sage grouse conservation area.

- Map of conservation areas: <http://utahdnr.maps.arcgis.com/apps/StorytellingTextLegend/index.html?appid=56b1b8e3bc55452ea170cf66996d351d>

- If your project is located in a sage grouse conservation area, the Division will need to coordinate a site visit with a biologist from Div. of Wildlife Resources to evaluate site conditions, and site-specific mine permit requirements may apply.

4) Get a Utah business license, if applicable

- If your permit will be in the name of an individual or a sole proprietor, no business license is needed

- If the permit is in the name of anything other than a sole proprietor (such as a corporation, LLC, partnership, dba), it must be registered with the Utah Division of Corporations. If you need to register or update your license, go to <https://secure.utah.gov/abr/abr>. If you already are registered, find your information at <https://secure.utah.gov/bes/action>.

5) Submit a Notice of Intention (NOI) to Commence Small Mining Operations to the Division

- The NOI must include the information required in the Small Mining Operation rules

(link: <http://www.rules.utah.gov/publicat/code/r647/r647-003.htm>)

- It is recommended that you use the Division's 7-page small mine **NOI form**, which is based on the rules.

(link to download the **MR-SMO form**: http://linux1.ogm.utah.gov/WebStuff/wwwroot/minerals/permit_forms.html)

- You will need to include a basic project description (including any facilities to be constructed or moved on-site, mining method, projected pit/highwall dimensions, etc), the mineral to be mined, the acreage to be disturbed, the dimensions of any new or improved roads, and the amount of material to be moved.

- At least two maps are required by rule (see the 7-page NOI form), and maps should have a north arrow and a scale to measure your disturbance:

(a Location Map, indicating the route to the site, and new & existing access roads)

(an Operations Map, which identifies the area to be disturbed, locations of existing & proposed operations (roads, pits, shafts, trenches, drillholes, stockpiles, dumps, topsoil piles, etc), and existing disturbances for which the operator is not responsible).

- Please submit your signed and completed NOI to the Division either by hardcopy or by email. The NOI must be signed by one of the principals.

(physical/mailling address: 1594 W. North Temple, SLC, UT 84116)

(email address: peterbrinton@utah.gov and paulbaker@utah.gov - or other appropriate Division staff)

6) Submit the first annual permit fee of \$150 to the Division of Oil, Gas & Mining.

7) Submit the completed, signed, and notarized Reclamation Contract.

(link to form: https://fs.ogm.utah.gov/pub/mines/minerals_related/forms/MR-RC-SMO.pdf)

8) Submit an approved amount of reclamation surety

- The Division typically uses reclamation cost per acre from large mines in Utah to determine an average reclamation cost per acre that is applied to calculate reclamation sureties for small mining operations. If the mine site is on federal land, we need to obtain written concurrence with the bond amount from the federal agency.

(Here is a link to small mine and exploration average costs per acre (see page 2 for small mine averages):

<http://linux1.ogm.utah.gov/WebStuff/wwwroot/minerals/20130429144407.pdf>)

Once the Division has received all the acceptable information, documents, fees, and surety, we will send a final approval letter, indicating that your operations as shown in your NOI are approved, and work can begin.

Once the Division has given their final approval to begin mining operations:

- 1) Notify the Division no more than 30 days after you have commenced your mining activities
- 2) Submit an annual report to the Division by January 31st (https://fs.ogm.utah.gov/pub/mines/minerals_related/forms/MR-AR-SMO.pdf)
- 3) Submit your annual permit fee to the Division by January 31st
- 4) Periodic inspections will be made by the Division to evaluate site conditions
- 5) The reclamation surety will be re-evaluated by the Division every 3 or 5 years for adequacy
- 6) Contact the Division and refer to the rules for information on reclamation requirements

Feel free to call if you have any questions.

—

Peter Brinton
Environmental Scientist/Engineer II
Utah Division of Oil, Gas & Mining
Office Phone: 801-538-5258
Days: M - Th, Every Other Friday
Hours: 7:30am - 5:00pm

—

Peter Brinton
Environmental Scientist/Engineer II
Utah Division of Oil, Gas & Mining
Office Phone: 801-538-5258
Days: M - Th, Every Other Friday
Hours: 7:30am - 5:00pm

—

Peter Brinton
Environmental Scientist/Engineer II
Utah Division of Oil, Gas & Mining
Office Phone: 801-538-5258
Days: M - Th, Every Other Friday
Hours: 7:30am - 5:00pm

—

Peter Brinton
Environmental Scientist/Engineer II
Utah Division of Oil, Gas & Mining
Office Phone: 801-538-5258
Days: M - Th, Every Other Friday
Hours: 7:30am - 5:00pm

—

Peter Brinton
Environmental Scientist/Engineer II
Utah Division of Oil, Gas & Mining
Office Phone: 801-538-5258
Days: M - Th, Every Other Friday
Hours: 7:30am - 5:00pm



mr-smo-07252012 (13).doc

68K